

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JAMES EARL NEWTON,)	
)	
Plaintiff,)	
)	
v.)	1:22cv388
)	
DEAN LOCKLEAR, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 23, 2024, was served on the parties in this action.¹ (ECF Nos. 40, 41). No objections were filed within the time limits prescribed by § 636.

The Court hereby adopts the Magistrate Judge’s Recommendation.

IT IS THEREFORE ORDERED that Plaintiff’s “Motion for Summary Judgment”, (ECF No. 28), is **DENIED** without prejudice; and Defendant’s Motion for Summary Judgment”, (ECF No. 32), is **DENIED** without prejudice.

This, the 25th day of March 2024.

/s/ Loretta C. Biggs
United States District Judge

¹ Recommended Ruling was sent in paper form from the Clerk’s Office addressed to Daniel Marroquin-Santiago, 43831-208, Yazoo City Medium, Federal Correctional Institution, Yazoo City, MS. Envelope marked “Return to Sender, Not Deliverable as Addressed, Unable to Forward” is dated March 11, 2019.